

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 37-40, 48-51, 59-62, and 97-106 are pending in the present application, Claims 37, 48, 59, and 97 having been amended. Support for the amendments to Claims 37, 48, 59, and 97 is believed to be self-evident from the substitute specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 37-40, 48-51, 59-62, and 97-106 were rejected under 35 U.S.C. §112, second paragraph; Claims 37-39, 48-50, 59-61, and 97-106 were rejected under 35 U.S.C. §102(b) as anticipated by Griebelnow et al. (U.S. Patent No. 5,850,520, hereinafter Griebelnow); and Claims 40, 51, and 62 were rejected under 35 U.S.C. §103(a) as unpatentable over Griebelnow in view of Logan et al. (U.S. Patent No. 5,721,827, hereinafter Logan).

With respect to the rejection under 35 U.S.C. §112, second paragraph, Applicants respectfully submit that the present amendment overcomes this ground of rejection. The claims are amended to change “on-demand control information” to “on-demand schedule control information.” Also, “to allow a user of the personal computer to self-distribute the content data” is removed from the claims. Accordingly, this ground of rejection is overcome. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually satisfactory claim language.

With respect to the rejection of Claim 37 as unpatentable over Griebelnow, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection.

Amended Claim 1 recites, *inter alia*,

first receiving means for receiving from a personal computer via internet, content data self-distributed by a user of the personal computer, and predetermined information, separate from the content data, including at least category information defining a genre of the content data; [and]

means for changing the information defining genre of the content data to a different genre, through the personal computer after receiving the predetermined information.

Griebelnow does not disclose or suggest this element of amended Claim 37.

Griebelnow describes a system for distributing an electronic publication. Storage 70 of Griebelnow does not receive “predetermined information, separate from the content data, including at least category information defining a genre of the content data.” While the electronic publication may have a genre (i.e., bicycling) indicated by the content of the publication itself, there is no reception of “predetermined information, *separate from the content data*, including at least category information defining a genre of the content data.” In the invention defined by Claim 37, the genre is not the content itself. Rather, the indication of genre is separate from the content data. There is no disclosure or suggestion in Griebelnow that data defining genre of the electronic publication is received separate from the electronic publication.

Moreover, there is no disclosure or suggestion in Griebelnow that a genre of the electronic publication is changed to a different genre. Non-limiting embodiments of the invention defined by Claim 37 can change the genre of the content data in a video distribution system in order to increase the number of views by disposing the content in a more popular genre.

Col. 6, lines 63-65 and col. 7, lines 23-49 of Griebelnow merely describe updating a consumer profile. There is no disclosure or suggestion that the genre of the electronic publication is changed to a different genre.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 37 (and any claims dependent thereon) patentably distinguish over Griebelnow. Claims 48, 59, and 97 recite elements analogous to those of Claim 37. Thus, Claims 48, 59, and 97 (and any claims dependent thereon) patentably distinguish over Griebelnow for at least the reasons stated for Claim 37.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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